

PATENT
ATTORNEY DOCKET NO. 50195/023003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James M. Robl et al. Confirmation No.: 4828
Serial No.: 10/705,519 Art Unit: 1632
Filed: November 10, 2003 Examiner: Deborah Crouch
Customer No.: 21559
Title: TRANSGENIC UNGULATES HAVING REDUCED PRION PROTEIN ACTIVITY AND USES THEREOF

DECLARATION OF DR. YOSHIMI KUROIWA TRAVERSING GROUNDS
OF REJECTION OVER GOOD

Under 37 C.F.R. § 1.132 and regarding the rejection of claims 1-6, 25-32, and 35-38 for anticipation by Good et al. (U.S. Patent Publication No. 2002/0069423; hereafter "Good"), I declare:

1. I am an inventor of the subject matter that is described and claimed in the above-captioned patent application. My curriculum vita is attached.
2. To the best of my knowledge, we are the first to produce prion protein (PrP) knockout bovines. In my opinion, the methods of producing PrP knockout cells and bovines disclosed in Good are insufficient to allow one skilled in the art to produce any cells or bovines, and one considering Good alone would not believe that prion knockout cows could be produced.
3. Good intended to isolate the bovine PrP genomic fragment by screening a bovine genomic library using a DNA probe prepared from mouse PrP gene. As stated by Good, "[n]one [of the genomic fragments identified] contained sequences of PrP which could be used to construct a targeting vector." (page 12,

Considered.
D.Crouch
6/5/08